



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Franck Savard
Serial No.: 09/763,507
Filed: February 23, 2001
Title: REAR DERAILLEUR DEVICE FOR A BICYCLE
Docket No.: 33354

PETITION UNDER § 1.47(b)

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This communication is in response to the Notification of Missing Requirements mailed March 21, 2001. The period for reply expired on April 21, 2001. Applicant hereby petitions for a three (3) month extension of time to respond, up to and including July 21, 2001. Because July 21, 2001 is a Saturday, this petition is timely filed on Monday, July 23, 2001 pursuant to Rule 1.7(a) as evidenced by the certificate of mailing below. A check for \$1020 covering the \$890 extension of time fee and the \$130 petition fee under Rule 1.47 is enclosed. The \$130 late declaration fee was paid with the initial filing when the above application entered the U.S. national phase.

In response to the Notification of Missing Requirements mailed March 21, 2001, Shimano, Inc., (hereinafter "Shimano"),

07/31/2001 MNGUYEN 00000051 09763507

01 FC:117
02 FC:122

890.00 OP
130.00 OP

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date indicated below.

Steven J. Solomon

Name of Agent for Applicant

July 23, 2001 [Signature]
Date Signature of Agent

hereby petitions the Commissioner to accept the accompanying Declaration and Power of Attorney by it, as the party to whom the invention disclosed and claimed rightfully belongs, on behalf of and as agent for the inventor, Franck Savard.

The Declarations of Dominique Francois and Almut Gersting, attached hereto as Exhibits A and B respectively, provide proof of the pertinent facts concerning the refusal of Mr. Savard to join in the present application for patent, and establishing that Shimano has a sufficient proprietary interest in this matter to make application on his behalf as his agent. The Declaration of Almut Gersting further details her bona fide attempt to procure Mr. Savard's signature and his letter of refusal dated May 23, 2001, attached thereto as Attachment 1. The Declarations further show this action is necessary to preserve the rights of the parties and to prevent irreversible damage.

The name and address of the inventor refusing to join in this application are as follows:

Franck Savard
11 Lotissement des Tertres
F-22400 Planguenoual
France

Mr. Savard, as sole inventor, initially assigned 50% of his interest in the invention to Christian Gauthier by Contract of Assignment dated June 12, 1998. Subsequently by separate Contribution Contract dated June 12, 1998, both Savard and Gauthier assigned their respective interests in the invention to the company EGS of Catellerault, France. Certified English translations of the above Contracts are attached hereto as Exhibits C and D respectively. Upon liquidation of EGS under French bankruptcy law, Shimano acquired all patents and pending patent applications from EGS at auction.

If there are any other fees required by this communication, please charge any such fees to our Deposit Account No. 16-1820, Order No. 33354.

Respectfully submitted,

PEARNE & GORDON LLP

By: 
Steven J. Solomon, Reg. No. P48719

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Date: July 23, 2001